



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.09.2018

CORAM:

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THE HONOURABLE MR.JUSTICE M.M.SUNDRESH
and
THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.A.(MD) No.1430 of 2014
and
MP(MD)No.2 of 2014

1.The State of Tamil Nadu
rep.by its Secretary to Government,
Home Department (Police IV),
Fort St. George,
Chennai.

2.The Director General of Police,
Santhome,
Chennai - 4.

3.The Additional Director General of Police,
Santhome,
Chennai - 4.

4.The Commissioner of Police,
Madurai City,
Madurai.

...Appellants/Respondents

vs.

Rajendran

...Respondent/Writ Petitioner

Appeal filed under Clause 15 of Letters Patent to set aside the order dated 20.02.2014 passed in W.P(MD)No.14066 of 2010 by this Court.

Prayer in WP(MD). 14066/ 2010 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, calling for the records relating to the impugned order passed by the 1st respondent in his proceedings G.O.(2D)No. 246 Home (Police-IVA) Department dated 10.05.2010 confirming the order passed by the 2nd respondent in his proceedings in Rc.No. 188565/PR.II(3)/2004 dated 15.10.2004 confirming the order passed by the 3rd respondent in his proceedings in Rc.No. PR.II(3)/048664/2004 dated 26.03.2004 and quash the same as illegal in so far as it relates to imposing the punishment of censure in concerned and consequentially to direct the respondents to disperse the retirement as well as all other attendant benefit to including settlement of suspension period



within the period that may be stipulated by this court.

For Appellants: Mr.A.K.Baskarapandian
Special Government Pleader

For Respondent: Mr.C.Venkateshwar
for M/s.Ajmal Associates

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JUDGMENT

[Judgment of the Court was delivered by **M.M.SUNDRESH, J.**]

We have perused the order of the appellate authority and revisional authority. The appellate authority though modified the order of the original authority by reversing the findings noted in Charge No.1 has not given any reason except saying that the disciplinary authority has considered the materials available on record and the same yardstick also adopted by the revisional authority. After all in a departmental proceeding, it is for the department to prove the charges against the erring officers.

2.The learned single Judge considering the matter at length passed the order impugned in the writ appeal and therefore, we are not inclined to interfere with the order of the learned Single Judge. Hence, this writ appeal is dismissed. No costs. Consequently, MP(MD)No.2 of 2014 is closed.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

Sub Assistant Registrar(CS-III)

To

1. The Secretary to Government,
State of Tamil Nadu
Home Department (Police IV),
Fort St. George,
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2. The Director General of Police,
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3. The Additional Director General of Police,
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4. The Commissioner of Police,
Madurai City,
Madurai.



+ 1 CC TO SPECIAL GOVERNMENT PLEADER, IN SR NO.85886

BU/SKN/SAR-III :12.10.2018 : 3P/6C

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